

REMARKS

This Amendment is in response to the Office Action dated December 10, 2007. In the Office Action, claims 1, 3, 6-18 and 21-23 were rejected. With this Amendment, claims 1 and 18 are amended and claim 23 is canceled. It is respectfully submitted that all pending claims are in condition for allowance.

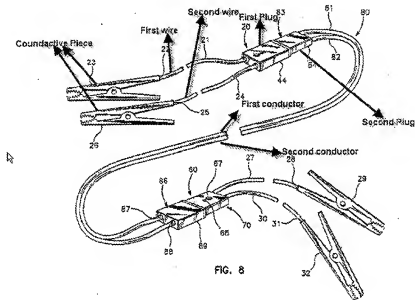
§ 103 Claim Rejections

Claims 1 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA), in view of Polizzano (US 4,057,313), in view of Johnson (4,969,834) and in view of Moenkhaus et al. (US 6,500,025). It is respectfully submitted that the Examiner has failed to properly ascertain the differences between the claimed invention and the cited references when considering the factual inquiries under *Graham v. John Deere Co.*, 148 USPQ 459 (1966) and therefore has failed to clearly articulate reasons to support a legal conclusion of obviousness for both independent claims 1 and 18.

The Examiner submits that the APA disclosed in FIG. 1 and page 14, lines 3-17 of the specification describes “a cable including a main electrical conductor capable of carrying a charging current and first and second electrical conductors” as claimed in claim 1 and 18. More specifically, the Examiner states that “the wire carrying the current can be considered as a main electrical conductor.” It is respectfully submitted, however, that the APA fails to show what is claimed. The APA fails to show a main conductor and first and a second electrical conductors in a cable as claimed. Instead, the APA describes a cable 124 and first and second electrical conductors in cable 124. There is no main electrical conductor in the cable. In addition, none of the other cited references show a cable including a main electrical conductor, a first electrical conductor and a second electrical conductor.

The Examiner then submits that the APA can be modified by Johnson to add a connection means between the cable and the clamp and, in view of Moenkhaus et al., a connection means can be a plug. With reference to the annotated FIG. 8 of Johnson provided by the Examiner and reproduced below, the Examiner asserts that element 20 (considered to be a first plug) is electrically coupled to elements 23 and 26 (considered to be a conductive piece) through

elements 22 and 25 (considered to be first and second wire connectors of the clamp). The Examiner also asserts that element 83 (considered to be a second plug) is coupled to elements 81 and 82 (considered to be first and second electrical conductors of the cable) and that element 83 is removably electrical coupled with element 20 to couple elements 22 and 25 with elements 81 and 82.



Although the Examiner has accurately described FIG. 8 of Johnson, the Examiner has failed to appropriately ascertain the differences between FIG. 8 and the claim language of claims 1 and 18. In particular, “a first elongate clamp member of a clamp . . . having a conductive piece coupled to the first jaw end” is claimed in claim 1 and “a first elongate clamp member of a clamp . . . including a first jaw end having a conductive piece” is claimed in claim 18. With these claim limitations in mind, Johnson fails to then show “a first electrical plug coupled to the conductive piece through at least one of first and second wire connectors” as claimed in both claims 1 and 18. Instead, as illustrated in the Examiner annotated version of FIG. 8 of Johnson, a first wire (22) is coupled to a clamp (23) and a second wire (25) is coupled to a different clamp (26). Johnson fails to describe two wire connectors coupled to a plug and then also both coupled to a single clamp let alone that at least one of the two wire connectors that is coupled to a conductive

piece that is located on one elongate clamp member of a single clamp. In addition, none of the other cited references show such a configuration with a plug as claimed.

Regardless that the Examiner has failed to properly ascertain the differences between the cited references and the claims 1 and 18, the Applicant has also amended claims 1 and 18 with features of claim 23 to further differentiate between the cited references and the claim language. With reference to the arguments presented below in light of Cheng et al. with respect to the Examiner's rejection under claims 11-14, it is respectfully submitted that the cited references fail to show "the first electrical plug and the second electrical plug are housed in the first hand grip when electrically coupled together."

It is respectfully submitted that claims 1 and 18 are in condition for allowance over the combination of cited references. Favorable action is respectfully requested.

Claims 3 and 7-8, 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA), in view of Polizzano, in view of Johnson and in view of Moenkhaus et al., and further in view of Kowalski et al. (US 5,772,468).

It is respectfully submitted that claims 3, 7-8 and 22 are in condition for allowance at least based on their dependence from allowable base claims 1 and 18. Favorable action is respectfully submitted.

Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Polizzano in view of Johnson, in view of Moenkhaus et al. as applied to Claim 1 above, and further in view of Vonderhaar et al. (US 6,469,511).

It is respectfully submitted that claim 6 is in condition for allowance at least based on its dependence on allowable base claim 1. Favorable action is respectfully requested.

Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Polizzano in view of Johnson, in view of Moenkhaus et al. as applied to Claim 1 above, and further in view Yoshikawa et al. (US 4,983,086),

It is respectfully submitted that claim 9 is in condition for allowance at least based on its dependence on allowable base claim 1. Favorable action is respectfully requested.

Claim 10 was rejected under 35 U.S.C. 103(a) as being unpatentable Admitted Prior Art (APA) in view of Polizzano in view of Johnson, in view of Moenkhaus et al. as applied to Claim 1 above, and further in view Hatrock (US 4,983,086).

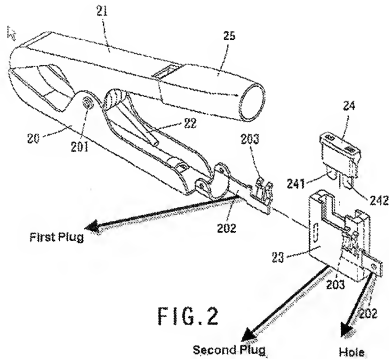
It is respectfully submitted that claim 10 is in condition for allowance at least based on its dependence on allowable base claim 1. Favorable action is respectfully requested.

Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Polizzano in view of Johnson, in view of Moenkhaus et al. as applied to Claim 18 above, and further in view Vonderhaar et al.

It is respectfully submitted that claim 21 is in condition for allowance at least based on its dependence on allowable base claim 18. Favorable action is respectfully requested.

Claims 11-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Polizzano in view of Johnson, in view of Moenkhaus et al. as applied to Claim 1 above, and further in view of Cheng et al. (US 6,796,841). Of these claims, claim 11 is independent. It is respectfully submitted that the Examiner has failed to properly ascertain the differences between the claimed invention and the cited references when considering the factual inquiries under *Graham v. John Deere Co.* and therefore has failed to clearly articulate reasons to support a legal conclusion of obviousness.

On pages 8 and 9 of the Office Action, the Examiner rejects claim 11 under the same combination of references as claims 1 and 18. Therefore, the Applicant respectfully traverses the rejection over the combination of these references in view of the above arguments made in regards to claims 1 and 18. The Examiner further rejects claim 11 under Cheng et al. The Examiner submits that the APA can be modified by Cheng et al. to position the components in the handle as taught by Cheng et al. in order to protect the connection from adverse weather. With reference to the annotated FIG. 2 of Cheng et al. provided by the Examiner and reproduced below, the Examiner asserts that lug 202 (considered to be a first plug) and fuse 23 (considered to be a second plug) are housed in the hand grip.



It is respectfully submitted that the Examiner has failed to accurately describe components of Cheng et al. and therefore reached inappropriate conclusions of obviousness. More specifically, lug 202 and fuse 23 considered to be a first plug and a second plug, respectfully, by the Examiner are not housed in a hand grip. Reproduced below is FIG. 5 from Cheng et al. FIG. 5, as indicated by the Cheng reference, illustrates the alligator clip of FIG. 2 in a use condition. Clearly, lug 202 which is inserted into fuse 23 is not positioned in the hand grip. Fuse 23 is located outside of the hand grip.

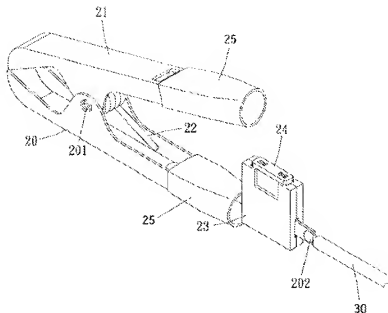


FIG. 5

It is respectfully submitted that claim 11 is in condition for allowance over the cited references. In addition, it is respectfully submitted that claims 12-14 are also in condition for allowance at least based on their dependence on allowable base claim 11. Favorable action is respectfully requested.

Claims 15-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Polizzano in view of Johnson, in view of Moenkhaus, in view of Cheng et al., and further in view of Vonderhaar et al.

It is respectfully submitted that claims 15-16 are in condition for allowance at least based on their dependence on allowable base claim 11. Favorable action is respectfully requested.

Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Polizzano in view of Johnson, in view of Moenkhaus et al., in view of Cheng et al., and further in view of Hatrock (US 4,983,086).

It is respectfully submitted that claim 17 is in condition for allowance at least based on its dependence on allowable base claim 11. Favorable action is respectfully requested.

Claim 23 was rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA), in view of Polizzano, in view of Johnson and in view of Moenkhaus et al., and further in view of Cheng et al. Claim 23 has been incorporated into claims 1 and 18 and therefore canceled.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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